

MAR 13 2002  
ATTORNEY OFFICE

**POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE**

Assignee, THE BURNHAM INSTITUTE, is the owner of the entire right, title and interest of U.S. patent application Serial No. 09/876,187, filed on June 5, 2001, as attorney docket number P-LJ 4714, and entitled METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING THE P38/MEF2 PATHWAY, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; MELANIE K. WEBSTER, Registration No. 45,201; ASTRID R. SPAIN, Registration No. 47,956; MARGARET M. PARR, Registration No. 48,111; and KIMBERLY J. PRIOR, Registration No. 41,483.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

Inventors: Lipton and Okamoto  
Serial No.: 09/876,187  
Filed: June 5, 2001  
Page 2 of 2

The undersigned is authorized to sign on behalf of the  
Assignee.

Signature:

John M. Campbell

Name (typed):

John M. Campbell

Title:

Director of Intellectual Property

Assignee:

THE BURNHAM INSTITUTE

Date:

March 4, 2002

COPY

ASSIGNMENT

This Assignment is made by Stuart A. Lipton of Rancho Santa Fe, California, USA, and Shu-ichi Okamoto of San Diego, California, USA, Assignors, to THE BURNHAM INSTITUTE, Assignee, having a place of business at 10901 North Torrey Pines Road, La Jolla, California, 92037, USA.

WHEREAS, Assignors have invented a new and useful METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING THE P38/MEF2 PATHWAY for which an application for United States Letters Patent was filed on June 5, 2001, in the United States Patent and Trademark Office, bearing Serial No. 09/876,187, and identified as Attorney Docket No: P-LJ 4714;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections

Inventors: Lipton and Okamoto  
Serial No.: 09/876,187  
Filed: June 5, 2001  
Page 2 of 4



120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request that any United States or foreign Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional, continuation or reissue application, be issued to Assignee, its

Inventors: Lipton and Okamoto  
Serial No.: 09/876,187  
Filed: June 5, 2001  
Page 3 of 4

successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: **Stuart A. Lipton**

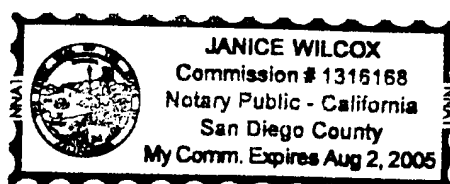
California  
STATE OF San Diego  
COUNTY OF San Diego

Stuart A. Lipton 3/1/02  
Signature Date

On 3-1-02, before me, Janice Wilcox,  
personally appeared Stuart A. Lipton,  
personally known to me - OR - X proved to me on the basis  
of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Janice Wilcox  
(Signature of Notary)



Inventors: Lipton and Okamoto  
Serial No.: 09/876,187  
Filed: June 5, 2001  
Page 4 of 4

Assignor: Shu-ichi Okamoto

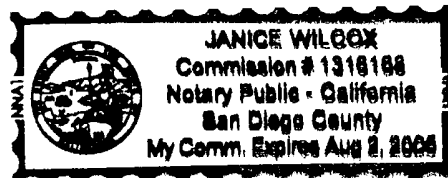
Shu-ichi Okamoto 3/1/02  
Signature Date

STATE OF California )  
COUNTY OF San Diego )

On 3-1-02, before me, Janice Wilcox,  
personally appeared Shu-ichi Okamoto,  
personally known to me - OR - X proved to me on the basis  
of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they, executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Janice Wilcox  
(Signature of Notary)





**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Title of Application: METHODS OF DIFFERENTIATING AND  
PROTECTING CELLS BY MODULATING THE  
P38/MEF2 PATHWAY

Application Ser. No.: 09/876,187

Filed: June 5, 2001

Inventors: Lipton and Okamoto

Attorney Docket No.: P-LJ 4714

THE BURNHAM INSTITUTE, a non-profit organization, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: March 4, 2002

Signature: John M. Campbell

Name: John M. Campbell

Title: Director of Intellectual Property

THE BURNHAM INSTITUTE  
10901 North Torrey Pines Road  
La Jolla, California 92037 USA



EXECUTED SMALL ENTITY  
STATEMENT

Attorney Docket No.: P-LJ 4714

Serial No.: 09/876,187

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on March 5, 2002.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

March 5, 2002  
Date of Signature





RECORDATION FORM COVER SHEET  
WITH EXECUTED ASSIGNMENT  
Attorney Docket No.: P-LJ 4714  
Serial No.: 09/876,187

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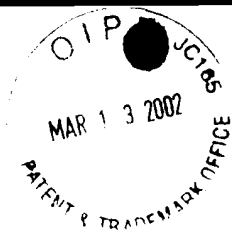


EXECUTED STATEMENT UNDER 37 C.F.R.  
§ 3.73(b)  
Attorney Docket No.: P-LJ 4714  
Serial No.: 09/876,187

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EXECUTED POWER OF ATTORNEY BY  
ASSIGNEE

Attorney Docket No.: P-LJ 4714

Serial No.: 09/876,187

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EXECUTED DECLARATION FOR PATENT  
APPLICATION

Attorney Docket No.: P-LJ 4714

Serial No.: 09/876,187

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